

Contracts Documentation

J&A Number 10-89 NOVA Wet Film Processors

J&A Template: Ktrs v1F

**Justification for Other than Full and Open Competition**

Please fill in all of the required details below.

C1. J&A Description:

J&A Number: **10-89**

Acquisition Name: **NOVA Wet Film Processors**

The estimated total dollar amount is: **\$477,411**

Class J&A?: ☐

C2. Exception to full and open competition:

**FAR 6.302-1 "Only One Responsible Source"**

C3. Contracting Activity:

Naval Air Warfare Center Aircraft Division

Contracts Department, Bldg 562-3 (AIR 25212)

Highway 547

Lakehurst, NJ 08733-5082

POC: [REDACTED]

C4. Synopsis, Was a synopsis describing this action(s) released in FEDBIZOPPS?

☒ Yes

▪ If Yes,

- The synopsis was posted on **08 February 2010**
- Which companies responded in writing? **No responses received.**
- Describe action(s) taken with responses received: [REDACTED].
- ☐ Any future responses to the synopsis will be evaluated by the contracting officer

☐ No, a synopsis was not released because:

- ☐ Each action will be synopsised individually
- ☐ Of an Unusual and Compelling Urgency under FAR 6.302-2
- ☐ This action(s) is the result of an international agreement.
- ☐ Other: [REDACTED]

C5. Determination of Fair and Reasonable Cost / Price:

In Accordance With (IAW) FAR 6.303-2 (a) (7), the PCO will take the following action(s) to ensure Cost / Price reasonableness.

- ☐ Obtain Field/ DCAA Audits
- ☐ Obtain Certified Cost and Pricing Data
- ☒ Utilize Independent Government Estimate
- ☒ Utilize Historical Data
- ☒ Conduct Price Analysis IAW FAR 15.404-1
- ☐ Other, explain: [REDACTED]

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**Justification for Other than Full and Open Competition**

**6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements.**

T1. J&A Description:

J&A Number: **10-89**

Acquisition Name: **Radiographic Film Processor, NOVA**

T2. Technical Point of Contact: [REDACTED]

**WHAT is being acquired?**

T3. Concisely describe the nature of this acquisition (i.e. What the item or service is and what function it will perform):

This Justification and Approval authorizes the establishment of a sole source contract with GE Inspection Technologies LP in order to procure up to thirty-seven (37) NOVA Wet Film Processors, the official temporary replacement for the AGFA unit, commercial part number 022-509-874, to be procured over a two (2) year period. The new NOVA units shall replace legacy AGFA NDT-M Wet Film Processor units that have reached the end of their service life and can no longer be repaired nor are supported by the Original Equipment Manufacturer (OEM).

Current fleet maintenance operations require radiography to inspect for sub-surface defects such as cracks, water-entrapment in honeycomb core panels, porosity, and for alignment defects. The Navy requires an automatic wet film processor to develop the radiographic film for nondestructive inspections.

The AGFA wet film processor is in the process of being phased out by Computed Radiography (CR). A previous Justification and Approval for Unusual and Compelling Urgency was approved on 20 November 2009 for a quantity of 15 NOVA units, which was intended to fulfill the requirement until the CR units are deployed. However, due to the CR deployment schedule slipping to the right, emergent requirements, and unanticipated failure of additional units, a new procurement is needed.

T4. The estimated total dollar amount, including options, of this action is:  
**\$ 477,411.00**

T5. This J&A approves the following type of action(s): (Coordinate with PCO)

☒ Single action

▪ New **Firm Fixed Price** type **IDIQ Contract**

☐ Class of actions. If this is a Class J&A, it covers actions through **When**.

▪ New **Select Type of Contract** type **Select Action Type**

**J&A Number 10-89, Radiographic Film Processor, NOVA**

[illegible]



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**WHO is the only source?**

**T7. GE Inspection Technologies LP (formerly known as AGFA)** is the only source that can provide the above supplies or services and no other supplies or services will satisfy the program's requirements.

**WHY is the source above the only one that can fulfill the requirement?**

In accordance with Title 10 U.S.C 2304(c)(1) as cited in FAR 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements."

**T8. Only the specified source can provide the above described supplies or services due to: (Select from the following).**

☒ **Insufficient Technical Data and / or Rights:** The Government does not possess adequate data and / or the rights necessary to competitively award this requirement.

- Explain why the technical data is necessary for this acquisition:  
**GE Inspection Technologies LP is the sole designer and manufacturer of the NOVA wet film processor, and owns the data rights. The data is proprietary and developed at their own expense. Technical data is needed to ensure the film processor is a form, fit and function replacement for the existing system.**

**The NOVA wet film processor replaces the legacy AGFA NDT-M units currently used in the Fleet. The NOVA unit is a form, fit and function, drop in replacement for the AGFA system. Both the NOVA and AGFA systems utilize the same power and water requirements, as well as mounting stand. This allows sailors to install the replacement processor without affecting the foundation of carriers and L-class ships. This allows for a more expedient process and eliminates requirements for ship alterations and potential risk to mission readiness levels.**

- Does the Government possess all the technical data required to competitively award this requirement?
  - ☐ Yes
    - If Yes, explain why the Government does not possess sufficient data rights to competitively award this requirement:
    - Could the necessary rights to the data be purchased?
      - ☐ Yes, the necessary rights could be purchased for an estimated \$  
This amount was determined by  
This amount is economically unfeasible due to
      - ☐ No, explain:
  - ☒ No
    - If No, explain why the Government does not possess sufficient technical data to competitively award this requirement.  
**Drawings for the AGFA units were not procured under the original contract and the NOVA unit is GEIT's form, fit and**

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**function replacement for the AGFA unit. Technical data for the NOVA units currently fielded was not procured.**

- If No, could the necessary technical data and rights be purchased?

☒ Yes, the necessary data and rights could be purchased for  
\$ 1,000,000.00

This amount was determined by the Deputy Acquisition Program Manager for Logistics (DAPML), who explored the option of procuring a complete logistics package.

This amount is economically unfeasible due to the AGFA unit being near the end of its sustainment phase in the acquisition life cycle. The AGFA wet film processor is in the process of being phased out by Computed Radiography (CR). The wet film processors are being utilized until CR units are fully deployed, thus, this procurement will serve only as a stop-gap measure to provide sites without a usable wet film processor, the capability to conduct x-ray inspections until CR is available. It would not be economically feasible to purchase technical data rights for units that would be retired in just a few years.

☐ No, explain:

☐ Special Tooling: Only the referenced source has access to special tooling which is necessary to fulfill this requirement.

- Explain why the special tooling is necessary for this acquisition:

- Could the necessary special tooling be purchased?

☐ Yes, the necessary tooling could be purchased for an estimated  
\$

This amount was determined by

This amount is economically unfeasible due to

☐ No, explain:

☐ Substantial Duplication of Cost (for follow-on actions only): The above source is deemed to be the only source available because an award to a source other than the original provider would result in a substantial duplication of cost which would not be recovered through competition.

- An estimated \$            worth of work would be duplicated.
- Explain in detail how this amount was determined.

☐ Unacceptable delay of work (for follow-on actions only): The above source is deemed to be the only source available because an award to a source other than the original provider would result in an unacceptable delay in fulfilling the Government's requirements.

- Going to another source would create a delay of
- Explain in detail how this delay estimate was determined.
- Explain in detail how the Government would be unable to meet its

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requirements by this delay.

- Describe the specified source's ability to provide the needed supplies / services within the necessary timeframe.

☐ Other:

- Specify why only the stated source can provide the above supplies or services.



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**Background** *(Additional information)*

**T9. Is there a supporting acquisition planning document for this program?**

☐ Yes

- If Yes, is the supporting acquisition planning document current?  
(*ensure legal counsel has a copy of the latest document*)

☐ Yes, it is current as of

☐ No, explain:

- If Yes, is this J&A consistent with the content of the supporting acquisition planning document, including MOPAS?

☐ Yes, it is consistent.

☐ No, explain:

☒ No

- If No, why is there not a supporting acquisition planning document?

☒ A supporting acquisition planning document is not required in accordance with DFARS **207.103 (d)(i)**.

☐ Other, explain:

**T10. Market Research and / or Survey:**

☒ Performed

- Describe the research and / or survey that was conducted:

**An internet search was conducted to locate suitable replacements for the AGFA wet film processors and no other vendors were found, nor distributors that could supply a unit that would be a drop in replacement for the AGFA unit. Subject matter experts were also contacted who concurred that the NOVA part number 022-509-874 is the only drop in replacement for the existing system.**

☐ Not Performed

- No market research or survey was conducted due to:

▪

**T11. Follow-on Contract Information:** *(Required for all actions)*

Will this requirement be acquired again?

☐ Yes

- If Yes, what is being done to remove barriers to competition?

☐ Nothing, explain:

☐ Actions such as:

- If Yes, will it be competed in the future?

☐ No, explain:

☐ Yes, on

☐ No, this is a one time buy.

☒ No, this a final buy.

Is this for a follow-on requirement?

☒ Yes

- If Yes, is the previous J&A attached?

☒ Yes

☐ No, explain:

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☐ No